



**LEYDIG VOIT & MAYER
700 THIRTEENTH ST NW
SUITE 300
WASHINGTON, DC 20005-3960**

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OCT 22 2003

In re Application of
Seiki Gotou et al
Application No. 09/881,665
Filed: June 18, 2001
Attorney Docket No. 401256

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**OFFICE OF PETITIONS
ON PETITION**

This is a decision on the petition under 37 CFR 1.137(b), filed September 30, 2003, to revive the above-identified application.

The petition is **GRANTED**.

The two-month period for filing an appeal brief in triplicate (accompanied by the fee required by 37 CFR 1.17(c)), runs from the date of this decision.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed March 26, 2003, which set a shortened statutory period for reply of three (3) months. A reply under 37 CFR 1.113 is limited to an amendment that *prima facie* places the application in condition for allowance, a Notice of Appeal (and appeal fee required by 37 CFR 1.17(b)), or the filing of a continuing application. Since the amendment submitted does not *prima facie* placing the application in condition for allowance, no Notice of Appeal (and appeal fee), or the filing of a continuing application was timely filed. Extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on July 26, 2003.

Telephone inquiries concerning this decision should be directed to Wan Laymon at (703) 305-9282.


Wan Laymon

Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



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PATENT
Attorney Docket No. 401256

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of:

GOTOU et al.

Application No. 09/881,665

Filed: June 18, 2001

For: HIGH FREQUENCY POWER AMPLIFIER

Art Unit: 2817

Examiner: H. Choe

**PETITION PURSUANT TO 37 CFR 1.137(b) TO
REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION**

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

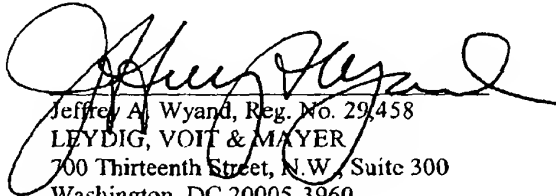
The referenced application was unintentionally abandoned by failing to file a Notice of Appeal by September 26, 2003. Because of an unintentional error in our docketing department, which listed the final deadline as September 29, 2003, the Notice of Appeal was filed on September 29 instead of the due date of September 26, 2003. The entire period of delay from the deadline of September 26, 2003 until the filing of this Petition was unintentional.

Applicants petition to revive this application pursuant to 37 CFR 1.137(b) and submit the appropriate fee pursuant to 37 CFR 1.17(m).

The Commissioner is authorized to charge any extension of time fees pursuant to 37 CFR 1.17(a)-(d) associated with this communication and to credit any excess payment to Deposit Account No. 12-1216. A duplicate copy of this Response is attached.

10/01/2003 SSESHE1 00000236 121216 09881665
01 FC:1453 1300.00 DA

Respectfully submitted,


Jeffrey A. Wyand, Reg. No. 29,458
LEYDIG, VOIT & MAYER
700 Thirteenth Street, N.W., Suite 300
Washington, DC 20005-3960
(202) 737-6770 (telephone)
(202) 737-6776 (facsimile)

Date: Sept 30, 2003
JAW:ves



PATENT
Attorney Docket No. 401256/TAKADA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

GOTOU et al.

Art Unit: 2817

Application No. 09/881,665

Examiner: H. Choe

Filed: June 18, 2001

For: **HIGH FREQUENCY POWER
AMPLIFIER**

**NOTICE OF APPEAL FROM THE
EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed March 26, 2003, rejecting the following claims: 5-8.

The items checked below are appropriate:

1. Status of Applicants

This application is on behalf of ☒ other than a small entity or ☐ a small entity.

2. Fee for Filing Notice of Appeal

Pursuant to 37 CFR 1.17(b), the fee for filing the Notice of Appeal is for: ☒ other than a small entity or ☐ a small entity.

Notice of Appeal Fee due \$320.00

3. Extension of Time

☒ Applicants petition for a three-month extension of time under 37 CFR 1.136, the fee for which is \$930.00.

☒ An extension for one month has already been secured and the fee paid therefore of \$110.00 is deducted from the total fee due for the total amounts of extension now requested.

00/01/2003 555555 0000027 22226 59101555

01 FD:1401 320.00 DA
02 FD:1253 930.00 GR

Docket No. 225784US0



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Yuichi SUZUKI, et al.

SERIAL NO: 10/198,571

GAU: 1626

FILED: July 19, 2002

EXAMINER: ANDERSON, R.L.

FOR: PRODUCTION METHOD OF PYRROLIDONE CARBOXYLIC ACID AND SALT THEREOF

REQUEST FOR EXTENSION OF TIME
UNDER 37 C.F.R. 1.136

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

It is hereby requested that a **two** month extension of time be granted to September 29, 2003 for

- ☐ filing a response to the Official Action dated:
- ☐ responding to the requirements in the Notice of Allowability dated:
- ☐ filing the Formal Drawings. The Issue Fee due has been timely filed.
- ☐ responding to the Notice to File Missing Parts of Application dated:
- ☒ filing a Notice of Appeal. A timely response to the final rejection, due July 29, 2003 has been filed.
- ☐ filing an Appeal Brief. A Notice of Appeal was filed on:
- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown below is reduced by one-half.

The required fee of \$410.00 is enclosed herewith by credit card payment form and any further charges may be made against the Attorney of Record's Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Stephen G. Baxter, Ph.D.

Registration No. 32,884

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/03)

Vincent K. Shier, Ph.D.

Registration No. 50,552

10/01/2003 55ESHE1 00000020 10198571

02 FC:252

410.00 02



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,665	06/18/2001	Seiki Gotou	401256	7187

23548 7590 03/26/2003

LEYDIG VOIT & MAYER, LTD
700 THIRTEENTH ST. NW
SUITE 300
WASHINGTON, DC 20005-3960

EXAMINER

CHOE, HENRY

ART UNIT

PAPER NUMBER

2817

DATE MAILED: 03/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/881,665

Applicant(s)
Gotou et al.

Examiner
Henry Choe

Art Unit
2817



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Mar 3, 2003
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, and 5-9 is/are pending in the application.
- 4a) Of the above, claim(s) 9 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 and 2 is/are allowed.
- 6) ☒ Claim(s) 5-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____